

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE: ANDREW J. THOMAS,	{	CHAPTER 13
	{	
DEBTOR(S)	{	CASE NO. R20-41624-PWB
	{	
	{	JUDGE BONAPFEL

**OBJECTION TO CONFIRMATION**

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.
2. The Plan as proposed will extend beyond sixty (60) months, contrary to 11 U.S.C. Section 1322(d). (63 months).
3. The Chapter 13 plan fails to provide for the assumption and funding or rejection of executory contract owed to Rent-A-Center in violation of 11 U.S.C. Section 365(b)(1)(C).
4. Pursuant to testimony at the meeting of creditors, the Debtor has a domestic support obligation. The plan fails to provide any information regarding this obligation. Prior to confirmation the Debtor must provide to the Trustee evidence that they have maintained all payments that have come due since the filing of the petition. 11 U.S.C. Section 1325(a)(8).
5. The Chapter 13 petition fails to include a debt owed to a child support obligation, in violation of Bankruptcy Rule 1007(a)(1) and 11 U.S.C. Section 1325(a)(3).
6. The Debtor(s) has failed to provide adequate notice to a domestic support recipient(s), in violation of 11 U.S.C. Section 342.
7. The Debtor(s)' Chapter 13 plan and schedules are inaccurate and/or incomplete; the Trustee is unable to determine either the duration or feasibility of the proposed plan. 11 U.S.C. Sections 1322(d) and 1325(a)(6); specifically, the Debtor's proposed plan omits a check mark for a domestic support obligation in part one.

Mary Ida Townson, Chapter 13 Trustee  
285 Peachtree Center Ave, Suite 1600  
Atlanta, GA 30303  
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8. The Debtor(s)' Chapter 13 plan and schedules are inaccurate and/or incomplete; the Trustee is unable to determine either the duration or feasibility of the proposed plan. 11 U.S.C. Sections 1322(d) and 1325(a)(6); specifically, Schedule I fails to specify a deduction in the amount of \$210.90 per month.

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny confirmation of this Debtor's(s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

November 24, 2020

\_\_\_\_\_/s\_\_\_\_\_  
Brandi L. Kirkland, Esq.  
for Chapter 13 Trustee  
GA Bar No. 423627

R20-41624-PWB

**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

DEBTOR(S):

ANDREW J. THOMAS  
300 RIDGEVIEW CIR  
CHATSWORTH, GA 30705-4945

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

SAEGER & ASSOCIATES, LLC

This 24<sup>TH</sup> day of November, 2020

\_\_\_\_\_/s/\_\_\_\_\_  
Brandi L. Kirkland, Esq.  
for Chapter 13 Trustee  
GA Bar No. 423627

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